

WEATHER: Fair Friday; Rain Friday night; Saturday, light, south winds.

# The Pensacola Journal.

THE Latest Foreign and Domestic News Daily by The Associated Press.

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NO 4

## EMPEROR WILL CONTINUE WAR TO BITTER END

HE CANNOT RE-TREAT JUST NOW

THINKS STILL A CHANCE OF VICTORY

Fears Public Opinion Worse Than He Does the Japanese.

DOMESTIC SITUATION IS NOW UNDER CONTROL AND ALL ATTENTION WILL BE CONCENTRATED ON KUROPATKIN'S ARMY IN THE ORIENT.

By Associated Press. Berlin, Feb. 23.—The emperor of Russia has elected to continue the war.

His position is absolutely firm and the German court has been advised in that sense.

The war will be pressed with the utmost energy, the domestic situation being now within the control of the authorities. Those who have advised peace and suggested inquiries for Japan's terms, the French and British governments are for the present silent and are likely to remain so, unless events of an extraordinary character shake the Russian emperor's resolution. The considerations that led to the emperor's decision as understood here, are:

First, the judgment of the chiefs of the army that Field Marshal Oyama not only cannot defeat General Kuropatkin, but stands in danger of defeat himself. How cowardly, therefore, for Russia to ask for mercy, with all the men and money essential to a successful war.

Second, all the forces of criticism now directed against the government for having fought rather than yield to the legitimate interests and for having failed to win victories would break with added fury against the government that accepted war and then betrayed the country. A government that would crave peace of Russia's enemy while still capable of winning victory would be giving the party of change genuine grounds for a revolution.

The facts of the military situation, love of country and arguments of expediency were all against peace and for pressing the war hopefully.

## U. S. WARSHIPS STILL IN HARBOR

EXCITEMENT AT SAN DOMINGO HAS SUBSIDED AND QUIET NOW REIGNS.

By Associated Press.

New York, Feb. 23.—One of the leading members of the house of deputies is authority, according to a dispatch from Puerto Plata, San Domingo, for the statement that the Dominican congress will accept the new agreement with the American government with certain modifications. Congress will begin its sessions February 27.

It is desired, the correspondent states, that article 2 of the treaty shall be so amended as to permit the Dominican government to name the officials who are to collect duties in the ports whose customs houses are in charge of the United States, these officials to be named with the approval of the American government and to be American if desired.

Dominicans also desire such a change in article 7 as will provide against the landing of troops in the republic.

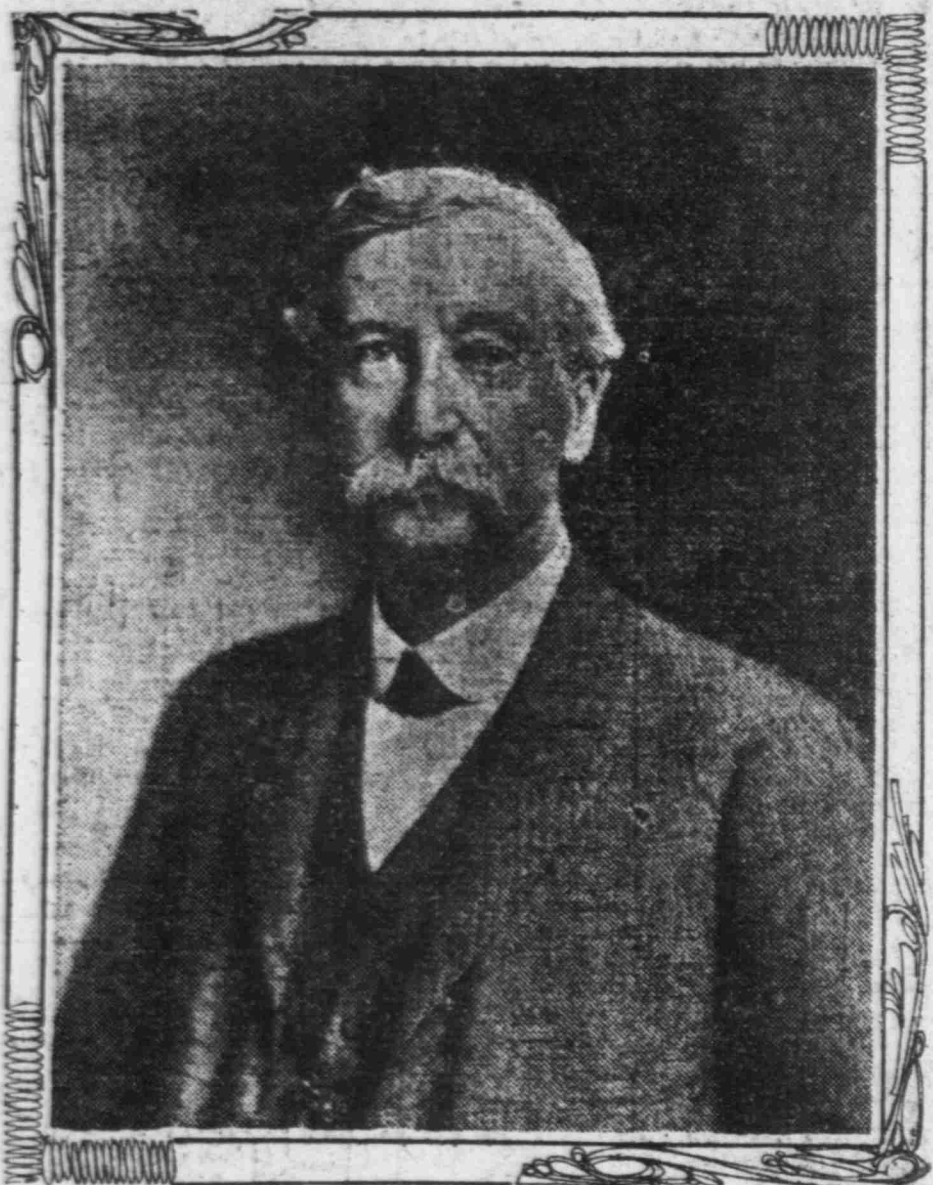
Excitement in Monte Cristi is dying out, and Lieutenant Commander Loper continues in full charge of the custom house. Six American war vessels are in the harbor.

REGIMENT FROM PORTO RICO SAILS GOING TO WASHINGTON TO PARTICIPATE IN INAUGURATION OF PRESIDENT ROOSEVELT.

By Associated Press.

San Juan, Porto Rico, Feb. 23.—Four companies of the Porto Rico Regiment, Major Griffith commanding, will sail on the steamer Arkadia direct for Washington to participate in the inauguration.

## Governor of the "State for Sale"



Governor Garvin of Rhode Island is coming into considerable prominence through the present exposure of the rotten political conditions in that state. It is declared that the smallest division of the Union is a "State for sale" and that Garvin, who was plainly elected by the will of the people, is virtually without power.

## EVIDENCE AS TO WHAT OTHER JUDGES ARE PAID

HOUSE MANAGERS OBJECT TO INTRODUCTION OF THIS IN CASE AND POINT IS BEING ARGUED—ALL WITNESSES HAVE TESTIFIED.

By Associated Press.

Washington, Feb. 23.—The last testimony in behalf of Judge Swayne in the impeachment proceedings was presented to the senate to-day.

The case occupied seven hours from one to ten p. m., with an intermission of two hours, from six to eight. Much of the time was spent in argument relating to the admissibility of testimony.

The senate also adopted an order granting each side five hours in closing the argument.

The witnesses called for defense were: Dr. J. W. Crosson, the Swayne family physician at Gayencourt, Del., who testified as to Judge Swayne failing to maintain a residence there; W. A. Blount, of Pensacola, and Clerk F.

W. Marsh, of Judge Swayne's court, who was questioned concerning the contempt cases and on the point of residence. The last witness was the judge's son, Henry G. Swayne, of Philadelphia, who testified to his father's residence in Florida.

A mass of documentary evidence was introduced for the defense, which included tabulated statements showing the amounts paid for several years past to all circuit and district judges of the United States, as expenses, while holding court outside of their respective districts.

The house managers resisted the introduction of this testimony on the ground of irrelevance and the question was undecided when court adjourned.

## Kansas Has Separate White and Black Schools

By Associated Press.

Topeka, Kan., Feb. 23.—Governor Hoch has signed the bill providing for separate high schools for whites and blacks at Kansas City, Kan. The whites demand separate schools, as the result of the stabbings of a prominent white pupil by a negro boy. Gov. Hoch, in his message to the legislature, explaining his action, says that while in its general aspect the bill appeared to be a step backward, he

believed the local conditions made the law advisable. Gov. Hoch said in the course of his message, touching on the race question:

"I am in hearty sympathy with them (the negroes) in their great struggle for higher and better things and in perfect accord with the Roosevelt idea, that every man should have a square deal, regardless of race or color. But the local conditions are peculiar."

## TAMPA INVITES THE PRESIDENT

SENATORS MALLORY AND TALLI- FERRO AND REPRESENTATIVE SPARKMAN EXTEND THE INVITATION.

By Associated Press.

Washington, Feb. 23.—Senators Mallory and Talliandro and Representative Sparkman, of Florida, to-day called on President Roosevelt and extended an invitation on behalf of the citizens of Tampa to visit that city.

The president replied that he would be glad to accept sometime during his administration, if possible.

Financier Very Ill.

By Associated Press. New York, Feb. 23.—Following an operation for appendicitis, Sydney Dillon Ripley, the financier, is critically ill at his home in this city.

## CHICAGO MILK DEALERS' TRUST

CONSUMERS NOW CONFRONTED WITH COMBINATION TO CONTROL SUPPLY.

By Associated Press.

Chicago, Feb. 23.—Milk consumers of Chicago, are now confronted by a combination of all the large dairy firms in the city. The leading dealers have met and quietly effected an organization, which, it is said, will be able to control the whole supply of milk.

Peach Growers Express Wishes.

Macon, Ga., Feb. 23.—At the convention of the Georgia Peach Growers' Association here, resolutions were passed urging congressional legislation putting all private car lines under control of the Interstate Commerce Commission. The Georgia delegation in congress will be urged to support such legislation.

## NINETY-TWO CORPSES FOUND

55 FUNERALS HELD YESTERDAY

Work of Rescue Still Proceeds Under Difficulties.

IT WILL YET BE TEN DAYS BEFORE LAST BODY OF MINE VICTIMS IS RECOVERED AS MINE IS FLOODED WITH WATER AND FOUL ODORS ARE STIFLING.

By Associated Press.

Birmingham, Ala., Feb. 23.—At 8 o'clock to-night ninety-two bodies have been taken from the Virginia mines. The rescue work continues, but foul odors from the decomposing bodies makes the large use of disinfectants necessary.

Fifty-five funerals were held in and about Bessemer to-day, all of them of mine victims.

It is believed that at least twenty-five more bodies are in the mine. Several bodies are in the lowest level, which it is expected it will take at least ten days to reach on account of the water which has to be pumped out.

Governor Cunningham has instructed that the fullest investigation be made. The relief fund for the stricken families amounts to more than fifteen thousand dollars.

AFTERNOON REPORT.

Birmingham, Feb. 23.—A staff correspondent of the Birmingham News at Virginia mines telegraphs at ten o'clock this morning that eighty-three bodies of victims of Monday's explosion have been taken from the mines and seven more are in sight and will be gotten out by afternoon, making a total of ninety victims. After these seven bodies are removed, active rescue work will cease and the work of pumping the flooded portion of the mine will be begun as it has been found impossible to rescue the bodies of the men in that part of the mine until the water is gotten out. It is figured that it will be the middle of next week before this can be completed, so that the remaining bodies will have to remain underground until then. President Flinn of the United Mine Workers has wired for more men to assist in this work. Horrible odors pervade the entire mine, arising from the decomposed bodies and disinfectants have to be used liberally to enable the rescuers to work. The funerals of scores of victims took place to-day at the Virginia and nearby mining camps, where the dead men reside. Acting Governor Cunningham has ordered a rigid investigation into the cause of the disaster. A relief fund of more than ten thousand dollars has been raised here for the families of the victims.

## STRIKE TIES POLAND UP

EVERYTHING IS AT STANDSTILL

Laborers and Artisans in All Classes Quit Work.

NO MAIL COMMUNICATION WITH OUTSIDE WORLD AND CITY OF WARSAW IS THREATENED WITH A COAL FAMINE—AUTHORITIES ARE WORRIED.

By Associated Press.

Warsaw, Feb. 23.—The situation here is causing the greatest anxiety in all circles. The authorities to-day frankly admitted that the government is at a loss to know what to do. The strike is spreading in every direction, involving bank clerks, journalists, office servants and merchants.

The Vienna railway is at a complete standstill. The directors held a session to-day, but were unable to find a solution. Only the telegraph connects Western Poland with the world, no mails arriving or departing. The city is threatened with a coal famine. A telephone message from Lodz says that the workmen in most of the factories there have returned to their labors, but it is feared the improvement is only temporary. The strikers destroyed a great switchboard station outside of the city here to-day and cut a number of telegraph wires.

## ACQUITTAL FOR SWAYNE AND THEN RESIGNATION

JOSEPH OHL SAYS IMPRESSION EXISTS THAT THE SENATORS AND JUDGE HAVE TACIT UNDERSTANDING TO THAT EFFECT—MANY SENATORS ABSENT DURING TRIAL.

Atlanta, Ga., Feb. 23.—The Atlanta Constitution's special Washington correspondent, Joe. Ohl, treats of the Swayne case as follows:

Acquittal and Resignation.

Is Judge Swayne to be acquitted on the understanding that he will resign? Rumor to that effect finds frequent repetition at the capital. It is said by those who repeat it that there is a general understanding among republicans to the effect that Swayne is to be acquitted of the impeachment charges and that he will shortly thereafter resign his judgeship.

There can, of course, be nothing like a hide-bound agreement of this kind, and probably there is none at all; but it must be said in all candor that the general attitude of some of the republican senators toward the impeachment proceedings is such as to warrant the suggestion that they are not very deeply impressed with the solemnity of the oath they took at the beginning of the trial.

This is not true of a good many others. These latter have frequently absented themselves from the senate chamber during the taking of important testimony, and they have maintained a general air of indifference toward the proceedings entirely out of keeping with their gravity.

Good Enough for the South.

On the part of these men there seems to be a feeling either that any old judge is good enough for a southern district or that there is politics in the impeachment proceedings. Of course, some of Judge Swayne's friends have been most assiduous in keeping this idea alive. It was utilized in the house in the hope of preventing the case ever reaching the senate, and it has been used since the case reached the senate.

Be it said to their credit, a good many of the republican senators appreciate the gravity of the charges against a judge upon the bench and the responsibility of the senate in its capacity as a court to see the case determined strictly on its merits. But other senators have not hesitated to express their impatience with the proceedings and to view them as unnecessary, to say the least of it.

It is, perhaps, due to the talk of such

men that the idea of an arrangement for acquittal and resignation has gone forth.

Should Be No Politics.

For two reasons there should be no political side to this trial. One of these is the duty of the senate to try the case with absolute impartiality—the duty imposed by the oath the members of the body take. The other is found in the practical fact that should Judge Swayne be found guilty, a republican president will have the appointment of his successor. The first reason should, of course, be sufficient to insure absolute fairness, and impartiality on the part of every senator. Should any permit themselves to be swayed by other considerations, the second reason ought to prevent their making a partisan business of this trial.

The testimony in the impeachment case seems to be of a character showing Judge Swayne to have maintained toward the attorneys and others having business in his court an attitude of dictatorialness, if that is the proper word, entirely out of keeping with that absolute justice which should surround every court in the land. Even if senators follow the lead of certain republican newspapers, which have been sneering at the breach of ethics involved in the judge's riding about in private cars placed at his disposal by receivers whose accounts he had to pass upon, and which have been treating as beneath the dignity of consideration the petty larceny of government funds involved in the padding of expense accounts, certainly those of them who are lawyers ought to regard the contempt charges as material in determining the fitness of Judge Swayne, and should pass upon the evidence as fair and impartial judges, as they have sworn to do.

Politics Playing a Part.

There is no way to prove that they are not doing this but the general attitude of some of them toward the case and the expressions attributed to these and others seem to warrant the suspicion that the fact that Judge Swayne's appointment by a republican president, and the further fact that the Florida legislature is democratic, are likely to prove factors in shaping the final decision.

## Senate Will Convene in Special Session March 4

By Associated Press.

Washington, Feb. 23.—The president to-day issued a proclamation convening the senate in special session, March 4, to "receive such communications as may be made by the executive."

## Indictments Found for Peonage and Whitecapping

By Associated Press.

Montgomery, Feb. 23.—The grand jury in the federal court to-day reported a number of indictments charging peonage and white-capping. Sheriff S. D. May, of Crenshaw county, who recently disappeared, was indicted for peonage. The jury investigated one lynching case, but failed to return an indictment. It is alleged that several witnesses were spirited away.

## OFFICERS WHO BROKE PAROLE

THEY WILL BE ALLOWED TO REMAIN IN RUSSIA WHERE THEY HAD RETURNED.

By Associated Press.

San Francisco, Feb. 23.—The Examiner to-day says that the three officers of the Russian cruiser, Lena, who broke their parole here and returned to Russia, will in all probability be allowed to remain there. The Japanese Consul in this city is accredited with the statement that the Japanese government is not the cause of having the officers compelled to return here. This will relieve the United States government of the necessity of demanding their return, which would have to be done, should Japan make the request.

## BILL CARRIES \$17,234,657.00

RIVER AND HARBOR BILL PASSES WITHOUT CHANGE OF A FIGURE.

By Associated Press.

Washington, Feb. 23.—Without a dollar added or subtracted, the river and harbor appropriation bill passed the house to-day after a long session. The bill carries \$17,234,657.

## NO MORE OYSTERS UNTIL IT THAWS

COLD WEATHER PREVENTS THE DREDGES FROM PROCURING BALTIMORE BIVALVES NOW.

By Associated Press.

Baltimore, Md., Feb. 23.—For the first time in the history of the city Baltimore is without oysters during the season. Dealers say lovers of the bivalves must expect to do without them until a thaw comes, which will enable the dredges to get a fresh supply.

THE WANTON WORK OF A GAINESVILLE BURGLAR.

By Associated Press.

Gainesville, Ga., Feb. 23.—During the night J. R. Logan's store was entered and the safe and cash drawer rifled. Fortunately Mr. Logan did not leave any money in them when he closed up. The burglar took the clothing in the store and deliberately made three different walks across the street by piling them in the mud. The goods were well nigh ruined. Pocket knives were strewn up the street for twenty-five yards.

As nothing was missing from the store this morning it appears that the burglar sought to ruin the stock, not finding the money.

Takahira Will Shoot Ducks.

By Associated Press. Washington, Feb. 23.—Mr. Takahira, the Japanese minister, left Washington yesterday for the Virginia waters to spend a couple of days duck hunting.

## NORTH SEA INCIDENT REPORT

COMMISSION HAS CONCLUDED WORK

Middle-Ground Decision Slightly Favorable to England.

RUSSIAN SELF-RESPECT HOWEVER, WILL BE MAINTAINED.

NOT A PRONOUNCED VICTORY FOR EITHER SIDE—WILL BE ANNOUNCED SATURDAY AT CLOSING SESSION.

By Associated Press. Paris, Feb. 23.—The international commission inquiring into the North Sea incident practically concluded its work to-night by agreeing as to its report, which will be announced publicly at the closing session, Saturday. Concerning the general nature of the report, this statement is made by a most authoritative quarter of The Associated Press:

"When the text becomes known it will prove far more acceptable to the British press and public than they had been led to believe. The arbitrators sought a middle ground and the decision is not a pronounced victory for either side. It is of such a character as to preserve Russian self respect and give the British public much ground for satisfaction. If anything, the decision is rather more favorable to England than to Russia."

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## WOMAN GUILTY OF MANSLAUGHTER

SHE CONFESSED TO BEING ACCOMPLICE TO MURDER OF HER HUSBAND.

(By Associated Press.)

Boise, Idaho, Feb. 23.—At the early hour of 1:30 o'clock this morning the jury returned a verdict of manslaughter in the case of Jennie Daly. She is the widow of Charles Daly, for whose murder Wm. Henry Hicks-Rond was convicted last week of murder in the first degree. Mrs. Daly, by her own confession, was privy to her husband's killing and rented a pistol with which to do the shooting.

## INSURANCE MAN COMMITS SUICIDE

SHOT HIMSELF TWICE IN THE HEAD—MENTAL DEPRESSION THE CAUSE.

By Associated Press.

Atlanta, Ga., Feb. 23.—Charles Ar-mall, one of the best known insurance men in the south, committed suicide early to-day at his home here, by shooting himself twice in the head. Mental depression caused by the death of a near friend is the supposed cause for the awful deed. Mr. Armall represented the Phoenix Mutual Life Insurance Company of Hartford.

Whist Congress in Chicago.

By Associated Press. Chicago, Feb. 23.—The whist congress, which promises to be the greatest event of its kind ever held in the United States has opened here. One hundred whist players from all parts of the country took part in the opening session of special men's pairs. The highest score of the afternoon session was 75 points, made by Judge G. T. Bunn, of St. Paul, and E. A. Montgomery, of Minneapolis. The second highest score was 60 points, made by B. W. Smith, of Baltimore, and W. E. Trainer, of Chicago.

JAPANESE ARE FORCED TO ABANDON ADVANCE.

By Associated Press.

Tsinskhetchen, Manchuria, Feb. 23.—The Japanese continue to press the Russian advanced divisions on the left flank. With not less than eight battalions they attacked the outposts Tuesday. The Russians made a vigorous counter attack and occupied the village of Daping, forcing the Japanese temporarily to abandon the advance.

SWAYNE WITNESSES WILL SOON BE HOME.

As all of the testimony has now been given in the Swayne impeachment trial it is expected that most of the witnesses from this city will reach home either Saturday or Sunday. Many of them have signified their intention to leave the capital on Friday night, which would bring them to Pensacola Sunday morning.